

**City of Miami Beach - City Commission Meeting**  
**Commission Chambers, 3rd Floor, City Hall**  
**1700 Convention Center Drive**  
**October 23, 2002**

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Mayor David Dermer  
Vice-Mayor Richard L. Steinberg  
Commissioner Matti Herrera Bower  
Commissioner Simon Cruz  
Commissioner Luis R. Garcia, Jr.  
Commissioner Saul Gross  
Commissioner Jose Smith

City Manager Jorge M. Gonzalez  
City Attorney Murray H. Dubbin  
City Clerk Robert E. Parcher

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**ATTENTION ALL LOBBYISTS**

**Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.**

Called to order at 9:20:26 a.m.

Inspirational Message given by Father Enrique Estrada from St. Patrick's Catholic Church

Pledge of Allegiance led by Chief De Lucca

Requests for Additions, Withdrawals, and Deferrals

**City Clerk's Note:**

**Addendum Materials:** C7W and R9K

**Supplemental Materials:** C7S, C7T, and R5C

- |     |   |
|-----|---|
| PA1 | <b>W</b> -Certs. of Apprec./Public Works Water & Wastewater Operators for Contributing to the City.   |
| PA2 | Cert. of Apprec./Karen Wall, (15) Years of Dedicated Service in the Parking Department.               |
| PA3 | Certs. of Apprec./Representatives Clay Shaw & Iliana Ros-Lehtinen, US Fire Grant Award.               |
| PA4 | Certs. of Apprec./ (5) Retirees, After Over (20) Years of Service To The MB Police Dept. (Cruz/Gross) |
| PA5 | <b>New Item:</b> Certs. of Apprec./ (7) New Members of the Collins Avenue Task Force. (Bower)         |
| PA6 | <b>New Item:</b> Plaque/S. Blumberg, Contributions to the Collins Avenue Task Force. (Bower/Dermer)   |
| PA7 | <b>New Item:</b> Certs. of Apprec./MB Rescuers & S. Fla. Boxing, Charity Boxing Event. (Dermer)       |
|     |   |
| C2A | <b>W</b> -BA 45-01/02, Installation of Exterior Signage for MB Convention Center, \$248,298.          |
| C2B | Issue P.O., Purchase (4) John Deere Gator Small Utility Vehicles, \$30,024.59.                        |
| C2C | BA 63-01/02, Provide Turf Mowing Services, \$96,840.  |
| C2D | BA 82-01/02, Lease of Golf Carts, \$156,313.80.   |
| C2E | BA 32-01/02, Lease/Purchase of Holiday Decorations, \$104,525.  |

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C4A Ref: Finance & Citywide Projects Committee - Rental Rate Structure of the MBCC.  
 C4B Ref: Fin. & Citywide Projects Comm. - Funding for Wolfsonian-FIU Renovation Project. (Cruz)  
 C4C Ref: Fin. & Citywide Projects Comm. - Expansion of 10<sup>th</sup> Street Auditorium/Beach Patrol Facility.  
 C4D Ref: Land Use & Devlp't Committee - Historic Buildings/District and Flood Elevations. (Bower)

C6A Report: General Obligation Bond & Oversight Committee Meeting of October 7, 2002.  
 C6B Report: Community Affairs Committee Meeting of October 15, 2002.  
 C7A Submit (4) Grant Appl., Fla. Dept. of Environ. Protection/US Soccer/MDC & Bureau of Justice.  
 C7B Appoint Simon Cruz as Vice-Mayor, November 1, 2002 - February 28, 2003.  
 C7C Reappoint Edward Margolis to the South Florida Workforce Board.  
 C7D Execute Consortium Agmt w/ MDC, Monroe County, City of Miami & City of Hialeah.  
 C7E Waive Bid Process, Issue S.O. to ABC, Cyborg Systems/HR Payroll System Maintenance. **5/7**  
 C7F **W**-Waive Bid Process, Execute Agmt w/ BellSouth, Full Local Telephone Services. **5/7**  
 C7G Waive Bid Process, Issue S.O. to IDS, Enhancements to City-Wide Permits Plus System. **5/7**  
 C7H Waive Bid Process, Issue S.O. to Mitchell Humphrey, FMSII Accounting Software Maint. **5/7**  
 C7I Waive Bid Process, Issue S.O. to Motorola, Maintenance of Public Safety Radio System. **5/7**  
 C7J Waive Bid Process, Issue S.O. to AT&T, City-Wide Long Distance Telephone Services. **5/7**  
 C7K Waive Bid Process, Issue S.O. to Cingular, City-Wide Wireless Telephone Services. **5/7**  
 C7L Waive Bid Process, Issue S.O. to Nextel, City-Wide Wireless Services. **5/7**  
 C7M Waive Bid Process, Issue S.O. to Siemens, Telephone & IVR Systems Maintenance. **5/7**  
 C7N Waive Bid Process, Issue S.O. to Suncom, T-1 Internet/Long Distance Telephone Services. **5/7**  
 C7O Execute SHIP Program Agmt w/ MBCDC, City's Local Housing Assistance Plan.  
 C7P Accept Recommendation, Emergency & Transitional Housing / Emergency Shelter.  
 C7Q Set Public Hearing, Demolition by Neglect Procedures.  
 C7R Enter Into Agmt w/ NCMEC, To Receive Computer Hardware, Software & Support Services.  
 C7S Ratify Change Orders, Partial Roof Replacement of the Byron Carlyle Theater. **SM**  
 C7T Grant Easement to FPL, Transformer Pad at North Shore Park & Youth Center. **SM**  
 C7U Execute Amendment (1) to a JPA w/ FDOT, Milling & Resurfacing Project on Collins Avenue.  
 C7V Execute Agmt w/ EAC, Drainage, Milling, Resurfacing & Lighting Project for Collins Avenue.  
 C7W Execute Agmt w/ Dr. Keroff, Medical Direction - MB Fire Dept. Emergency Medical Services. **A**

#### REGULAR AGENDA

R5A **10:30 a.m. 2<sup>nd</sup> Rdg**, Amend No. 1605, Unclassified Employees Salary Ord. (Classifications).  
 R5B **5:05 p.m. 2<sup>nd</sup> Rdg**, Proposed Amendment Prohibiting Live-Aboard Vessels in S-F Districts.  
 R5C **5:15 p.m. 1<sup>st</sup> Rdg**, Amendment to RPS-4 Development Regulations. **5/7** **SM**  
 R5D **1<sup>st</sup> Rdg**, Amend Code, Marine Structures, Facilities and Vehicles. (Steinberg)  
 R5E **1<sup>st</sup> Rdg**, Proposed Amendment to the Sign Section of the City Code. **5/7**  
 R5F **1<sup>st</sup> Rdg**, Amend Code, Valet Parking Permits for Use of Public Properties. (Steinberg)  
 R5G **1<sup>st</sup> Rdg**, Amend Code, Naming of Public Facilities/Establishments of Monuments or Memorials.  
 R5H **1<sup>st</sup> Rdg**, Amend Code, Allow Limited Display of Food Served at Sidewalk Cafes. **5/7**  
 R5I **3:20 p.m. 1<sup>st</sup> Rdg**, Prohibit Campaign Contributions by Lobbyists on Procurement Issues.(Gross)  
 R6A Verbal Report: Neighborhoods Committee Meeting of October 17, 2002.

R7A **Joint**, Set Dates for the Year 2003 City Commission Meetings.  
 R7B **10:35 a.m. Public Hrg.**, Raise Franchise Fee Paid to City by Private Waste Contractors.  
 R7C Approve Sequencing of Construction, R-O-W Infrastructure/Parks & Facilities Improvements.  
 R7D **2:30 p.m.** Approve BODR, Nautilus R-O-W Improvement Project.  
 R7E **3:00 p.m.** Approve BODR, Normandy Shores Neighborhood Improvement Project.  
 R7F Approve the City's Year 2003 State Legislature Priorities.  
 R7G Approve the 1<sup>st</sup> of Three, (1) Year Renewal Terms w/ Beach Towing & Tremont Services.  
 R7H Accept Recommendation, Sanitary Sewer System Improvement Projects.

- R9A     **3:15 p.m.** Board and Committee Appointments.  
R9B1    **1:30 p.m.** Dr. Stanley Sutnick Citizen's Forum.  
R9B2    **5:30 p.m.** Dr. Stanley Sutnick Citizen's Forum.  
R9C     Disc. Sidewalk Café Fees in North Beach. (Garcia)  
R9D     **2:15 p.m.** Disc. Status Report of Dialogue w/ RDP Royal Palm Crowne Plaza. (Steinberg)  
R9E     Disc. Extension of Hours for Thanksgiving Day Weekend.  
R9F     Disc. Reso re: Capital Improvement Project for New MB Senior High School Facility. (Steinberg)  
R9G     **Noon Break**, Committee of the Whole Meeting re: City Boards & Committees.  
R9H     Disc. Demolition of Historic Buildings. (Gross)  
R9I     **2:00 p.m.** Disc. GMCVB Renting Office Space in the City of Miami Beach. (Gross)  
R9J     Disc. Art in Public Places Funds. (Gross)
- R10A    **Noon Break**, Executive Session: West Side Partners/East Coastline Devlp't vs. CMB.  
R10B    **Noon Break**, Executive Session: Galactic Towing, Inc. vs. CMB.

#### **REPORTS AND INFORMATIONAL ITEMS**

- A       City Attorney's Status Report.  
B       Parking Status Report.  
C       Status Report on Fire Station No. 2.  
D       Status Report on Fire Station No. 4.  
E       Report on All City Contracts for Renewal/Extension Exceeding \$25,000.

#### **REDEVELOPMENT AGENCY ITEMS - 10:00 A.M.**

- 2A       Report of Itemized Revenues/Expenditures of RDA for August, 2002.  
3A       **Joint**, Set Dates for the Year 2003 Redevelopment Agency Meetings.

#### **PA - Presentations and Awards**

- PA1     Certificates Of Appreciation To Be Presented To The Public Works Water And Wastewater Operators Who Have Contributed To Maintaining And Improving The City's Water And Wastewater Systems.

(Public Works)

**ACTION:** Withdrawn.

- PA2     Certificate Of Appreciation To Be Presented To Karen Wall, For 15 Years Of Dedicated Service To The City And The Parking Department As A Parking Enforcement Specialist.

(Parking Department)

**ACTION:** Certificate presented. Ms. Wall sang a song she composed.

- PA3     Certificates Of Appreciation To Be Presented To Representatives Clay Shaw And Ileana Ros Lehtinen, For The US Fire Act Grant Award Of \$289,722.

(City Manager's Office)

**ACTION:** Item deferred.

- PA4 Certificates Of Appreciation To Be Presented To Randy Mazer, Pamela Kindle, Marva Boston, Ramon Miranda And Gerry Zebrowski, For Retiring After More Than 20 Years Of Service To The Miami Beach Police Department.  
(Requested By Commissioners Simon Cruz And Saul Gross)

**ACTION:** Withdrawn.

**New Item:**

- PA5 Certificates Of Appreciation To Be Presented To The Seven New Members Of The Collins Avenue Task Force: Jim Bode, General Manager, Roney Palace Beach Resort, Jose Santana, Manager, Royal Club Condominium, Richard De La Rosa, Manager, Club Atlantis Condominium, Frances Garcia, Manager, Banana Bungalow, Henry Collado, Manager, Avis Rent-A-Car, Peter McElwain, Assistant Director, Bass Museum of Art, Amy Rolnic, Supervisor, Miami Beach Public Library.

**ACTION:** Certificates presented.

**9:36:18 a.m.**

**New Item:**

- PA6 Plaque To Be Presented to S. Blumberg For His Contribution To The Collins Avenue Task Force.  
(Requested by Mayor Dermer and Commissioner Bower)

**ACTION:** Plaque presented.

Stu Blumberg thanked the Commission on behalf of the Collins Avenue Task Force and stated the that the job is not done yet. The Mayor's Blue Ribbon Task Force team is still moving along in that effort and they will continue to make this a living document for this community.

He added that he has one more project to finish for this community, and that is the expansion of the Miami Beach Convention Center. Since he was involved in the last three expansions, he volunteered his service to the Commission and to the City to lead this effort of expanding the Convention Center one more time.

He also mentioned that he is not leaving completely, as he is leaving his daughter Hillary, to follow in his footsteps. As he stated, "There will always be a 'Blumberg' at City Hall."

**New Item:**

PA7 Proclamation Declaring October 23, 2002, South Florida Boxing Day and To The Miami Beach Boxing and Fitness Gym And Certificates Of Appreciation To Be Presented To Participants Of Mayor David Dermer's Boxing Event.

(Requested by Mayor Dermer)

**ACTION:** Proclamation presented. Certificates presented to the following participants: Alon Fields, Alex Brenes, Officer Alkareem Azim, Carl Arragante, Barbara Bargeman, Lenny Chad, Cathy Chad, Dawn North, Doug MacKinnon, Eric Perez, Glen Perez, Jesse Brenes, Jex Fontaine, Jolie Cedar, Liis Lagerman, Matt Biamante, Mayla Chad, Patrisha Tedrich, Trevor Cedar and Vic Sanchez.

**MIAMI BEACH PATROL:**

Alain Guillen, Arnaldo Guillen, Luis "Chico" Cordero, Pedro Rodriguez, Seth Rosenthal, and Tim McHale.

**U. S. COAST GUARD MIAMI BEACH STATION:**

David "The Natural" Allen, William "Wild Bill" Senert, Phidias Edoh, Jason King, Charles Henry "Port Chop" Peters and Joseph Ingram.

**MIAMI BEACH FIRE AND RESCUE DEPARTMENT:**

Mike "The Timmonator" Timmony, Charleton "Bring On The Heat" Price, George Ledon, Eric "The Rack" Rodriguez, Bobby "The Angry Red Chicken" Gibson, Ed "The Hammer" Contreras, Jorge Sanabria and Nelson Gonzalez.

**MIAMI BEACH POLICE DEPARTMENT:**

Wayne Jones, Detective Garry Larkin, Jimmy "The Pitt Bull" Gotsis, Luis Corps, Mario Goderich and Andy Kuncus.

**New Item:**

Commissioner Gross explained that there are quite a few telecommunications related items on the agenda. He stated that it would be a good idea for the City to hire a telecommunications consultant, or broker to see if all of these items could be bundled together. **Kay Randall to handle.**

City Clerk's cross-reference: Bell South, At & T, Cingular, Nextel, Siemens

**ADDENDUM:**

Motion made by Commissioner Bower to add item C7W as an emergency item by a 5/7 vote; seconded by Commissioner Garcia; Voice vote: 7-0.

**ADDENDUM:**

Motion made by Commissioner Bower to add item R9K, appointment of a Housing Authority member, as an emergency item by a 5/7 vote; seconded by Commissioner Garcia; Voice vote: 7-0.

Mayor Dermer announced that the Commission will be in recess at 11:00 a.m. to attend the funeral of Ms. Phyllis Miller, who was a long-time member of the community. Ms. Miller was an activist in the school system and served as the chair of the School Board for many years.

Mayor Dermer also announced the passing of Ms. Gertrude Miller, who was a real community activist and was involved in many projects throughout the City including the Lincoln Road project and the regional library.

Commissioner Bower indicated that one of Gertrude Miller's wishes was to carry the first book into the library and perhaps something could be done in her honor at the opening of the library.

Commissioner Gross offered his condolences of the Commission to Ron Francis, Media Specialist, on the death of his mother.

### **CONSENT AGENDA**

**ACTION:** Motion made by Commissioner Bower to approve the Consent Agenda; seconded by Vice-Mayor Steinberg; Voice vote: 7-0.

### **C2 - Competitive Bid Reports**

- C2A Request For Approval To Award A Contract To Bengis Signs, Inc. In The Amount Of \$248,298, Pursuant To Bid No. 45-01/02 - For The Fabrication And Installation Of Exterior Signage Package For The Miami Beach Convention Center.  
(Convention Center)

**ACTION: Withdrawn.**

Handout or Reference Materials:

1. Five - 11 x 17 color photos titled "Exhibit 4 - Sign Type A View of proposed sign location at 17 Street and Convention Center Drive"

- C2B Request For Approval To Issue A Purchase Order To John Deere Company In The Amount Of \$30,024.59, Pursuant To State Of Florida Contract No. 070-840-01-1, For The Purchase Of Four (4) 2002 John Deere 6x4 Gator Small Utility Vehicles.  
(Fleet Management)

**ACTION: Award approved.** Gus Lopez to issue Purchase Order. Drew Terpak to handle.

**9:56:18 a.m.**

- C2C Request For Approval To Award A Contract To Southern Landscaping Enterprises, Inc., As The Primary Vendor To Provide Turf Mowing Services In The Amount Of \$96,840, Pursuant To Invitation To Bid No. 63-01/02; Further Request Approval To Award A Contract To Country Bill's Lawn Care Inc. As The Secondary Vendor To Be Used Only In The Event That The Primary Vendor (Southern Landscaping Inc.) Cannot Fulfill Their Contractual Obligations.  
(Parks And Recreation)

**ACTION: Separated for discussion by Commissioner Smith.**

**Award approved.** Motion made by Commissioner Bower; seconded by Commissioner Smith; Voice vote: 7-0. Gus Lopez to issue Purchase Order. Kevin Smith to handle.

Commissioner Smith asked if the Living Wage Ordinance applies to this contract.

Jorge Gonzalez, City Manager, stated that the Living Wage legislation applies to contracts exceeding \$100,000. Although this contract does not exceed the \$100,000 amount, the Administration believed the bid amount would exceed the \$100,000 and included the Living Wage provision in the contract.

Commissioner Smith requested the Administration to review each of the areas where this service will be provided and to include in the contract the caring of the areas in the immediate vicinity where appropriate. **Kevin Smith to handle.**

Vice-Mayor Steinberg stated that language in the bids should be clear that bids less than \$100,000 do not need to include the Living Wage provision and bids exceeding \$100,000 must include the Living Wage provision.

Jorge Gonzalez, City Manager, stated he was concerned that bids around \$100,000 could become confusing as to whether the bidder included the Living Wage provisions. The Administration will research. **Gus Lopez to handle.**

Commissioners Bower and Gross pointed out that the City should strive to pay the Living Wage when possible.

- C2D Request For Approval To Award A Contract To E-Z-GO, Division Of Textron Inc., In The Amount Of \$156,313.80 In Three Annual Installments Of \$52,104.60, Pursuant To Bid No. 82-01/02 - For The Lease Of Golf Carts.  
(Parks And Recreation)

**ACTION: Award approved.** Gus Lopez to issue Purchase Order. Kevin Smith to handle.

- C2E Request For Approval To Issue A Standing Order To Rentokil, Inc. - Tropical Plant Services For Three (3) Years, In The Annual Amount Of \$104,525, Pursuant To Bid No. 32-01/02 - Lease/ Purchase Of Holiday Decorations.  
(Public Works)

**ACTION: Award approved.** Gus Lopez to issue Purchase Order. Fred Beckmann to handle.

#### **C4 - Commission Committee Assignments**

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- C4A Referral To The Finance And Citywide Projects Committee Regarding A Discussion Item Concerning The Revisions To The Rental Rate Structure Of The Miami Beach Convention Center.  
(City Manager's Office)

**ACTION: Item referred.** Patricia Walker to place on the agenda. Doug Tober to handle.

- C4B Referral To The Finance And Citywide Projects Committee - Discussion Regarding Funding For The Wolfsonian-FIU Renovation Project.  
(Requested By Commissioner Simon Cruz)

**ACTION: Item referred.** Patricia Walker to place on the agenda. Kevin Crowder to handle.

- C4C Referral To The Finance And Citywide Projects Committee - Discussion Regarding The Master Plan Prepared By STA Architectural Group For The Improvement And Expansion Of The 10<sup>th</sup> Street Auditorium/Beach Patrol Facility At 10<sup>th</sup> Street And Ocean Drive.  
(Capital Improvement Projects)

**ACTION: Item referred.** Patricia Walker to place on the agenda. Tim Hemstreet to handle.

- C4D Referral To The Land Use And Development Committee Regarding The Following: (1) New FAR On Properties With Existing Historic Buildings; (2) Discussion On Historic District By Date For Single-Family Homes Constructed Before 1942; And (3) New Procedures For Minimum Flood Elevations As It Related To The 50% Rule.  
(Requested By Commissioner Matti Herrera Bower)

**ACTION: Item referred.** Jorge Gomez to place on the agenda and to handle.

#### **C6 - Commission Committee Reports**

- C6A Report Of The General Obligation Bond And Oversight Committee Meeting Of October 7, 2002: **1)** Project Status Report: a) 42nd Street Streetscape Project Update; b) Update On Guaranteed Maximum Price For Fire Station No. 2 And Public Works Facility Water Tanks; c) La Gorce BODR Community Meeting; **2)** Presentation: a) CIP Office Structure, Activities, And Budget; **3)** Recommendation To City Commission: a) Normandy Shores Neighborhood ROW Infrastructure Improvement Project BODR; b) Nautilus Neighborhood ROW Infrastructure Improvement Project BODR; c) Amendment To A/E Agreement With Reynolds, Smith & Hills For The La Gorce Neighborhood For Design, Bid, And Construction Administration Services; d) Reallocation Of GO Bond Funds Allocated To Streetscape Projects In The South Pointe RDA Area; **4)** Informational Items: a) Updated Calendar Of Scheduled Community Design Workshops; b) Amendment To EDAW Flamingo/Lummus A/E Agreement For Funding/Scope; c) Status Of REG Debarment Proceedings; d) Biscayne Point Neighborhood Community Design Workshop # 1 Report; e) Lummus Park Community Meeting Report; And **5)** Change Order Report.

**ACTION: Written report submitted.**

##### **Item 1.**

The 42nd Street Streetscape Project documents are completed, in the Procurement Department and

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ready to be put out to bid. The Committee had reviewed and approved the scope and budget of the project in 2000. A resident spoke of his concern - that certain components were not included in the scope. The Administration again committed to meeting with the resident to review the scope, including the items that could not be done due to budget constraints or code.

The Administration informed the Committee that the Fire Station No. 2 and Public Works Facility water tanks project draft Guarantee-Maximum-Price (GMP) had been received and was being reviewed. It was the intention of the Administration to present the GMP to the Commission for approval on November 13, 2002.

The Administration informed the Committee that a Community meeting was held on September 24, 2002, to discuss the traffic calming measures of the La Gorce Neighborhood Basis of Design Report. The outcome of the meeting was that street closures and one-waying of streets would not be considered for the La Gorce Park area. A second meeting will be held with primarily the La Gorce area residents on October 15, 2002. The purpose of the meeting will be to discuss how to spend approximately \$25,000 in General Obligation Bond funds that were previously allocated to the traffic calming measures.

**Item 2.**

The Committee deferred the presentation of the CIP Office Structure, Activities, and Budget to the next GO Bond Oversight Committee meeting on November 4, 2002.

**Item 3.**

- A. The motion was amended to recommend that the City Commission approve the BODR if, after a meeting between the Administration and the neighborhood representatives, the unit cost issues were resolved. If the neighborhood representatives were not satisfied that the unit cost issues were resolved by October 22, 2002, the BODR would not proceed for approval by the City Commission on October 23, 2002, and would return to the Committee for further consideration on November 4, 2002. The amended motion passed by a vote of 6 in favor 4 against. See R7E.
- B. The Committee approved a motion to recommend that the City Commission approve the BODR for the Nautilus Neighborhood ROW Infrastructure Improvement project. See R7D.
- C. The Committee approved a motion to recommend that the City Commission approve an Amendment to the A/E Agreement with Reynolds, Smith & Hills for La Gorce Neighborhood Design, Bid and Construction Administration Services for the project.
- D. The Committee approved a motion to recommend that the GO Bond funds currently allocated to the Streetscape projects (the Meridian Avenue and Washington Avenue & Third Street Public Plaza projects) in the South Pointe RDA area in the total amount of \$300,000 be replaced by South Pointe RDA funds, and that a contingency account made up of the \$300,000 of GO Bond Fund be established. The Committee recommended reserving the GO Bond funds for future potential shortfalls in other streetscape projects in the South Beach district. The Administration will seek an opinion from Bond Counsel regarding the feasibility of this recommendation.

**Item 4. Informational Items**

The following informational items were provided to the Committee but not reviewed during the meeting: an updated calendar of Scheduled Community Design Workshops, the Amendment to EDAW Flamingo/Lummas A/E Agreement for funding/scope as approved by the Commission, a report on the Biscayne Pointe Neighborhood Community Design Workshop #1, and a report on the Lummas Park Community Meeting.

The Administration informed the Committee that the REG Debarment Investigation Report by the independent investigator had been completed. The Debarment Committee will consider the matter on October 16, 2002 at 2:00 p.m. in the Commission Chambers.

**Item 5.**

The Administration informed the Committee of change orders that had been approved since the last meeting.

C6B Report Of The Community Affairs Committee Meeting Of October 15, 2002: **1)** Discussion Regarding The Ordinance Implementing A Local Preference In The Award Of Contracts For Goods And Services To Miami Beach-Based Vendors, By Amending Chapter 2 Of The Code Of The City Of Miami Beach Entitled "Administration," By Amending Article VI Thereof Entitled "Procurement," By Amending Division 3 Entitled "Contract Procedures," And Division 4 Entitled "Purchases," By Amending Section 2-369, 2-370, And 2-395; **2)** Discussion Regarding Proposed Ordinance Amending Miami Beach City Code Section 38-6 Entitled "Prohibited Campaign Contributions By Vendors" By Mandating That The City Publish Notice Requirements Of This Ordinance, Establishing Responsibility Of Candidates For Elected Office To Determine Status Of Potential Donor As Vendor, Clarifying And Creating Definitions, Creating Additional Waiver Provision When Termination Of Existing Contract Would Be Economically Adverse To City's Best Interests; **3)** Discussion On Draft Ordinance Amending Miami Beach City Code Chapter 2, Division 3 Thereof, Entitled "Lobbyists", By Creating Section 2-485.2 Entitled "Prohibited Campaign Contributions By Lobbyists On Procurement Issues"; **4)** Discussion Concerning A Review Of All City Boards And Committees In An Effort To Determine Their Necessity And Any Changes Required; **5)** Discussion Regarding The Adoption Of Revisions To Special Events Permits Requirements And Guidelines; **6)** Discussion Regarding The Placement Of A Bench And Plaque In Memory Of Mrs. Currie-Hill Beeson Velie, Her Son, And Her Unborn Son, In Lummus Park By The 13th Street Children's Playground; And **7)** Discussion Regarding The Status Of Changing The Name Of The Bayshore Golf Course And Amending The Facilities Naming Ordinance.

**ACTION: Written report submitted.**

**Item 1.**

This item was deferred to the next meeting.

**Item 2.**

This item was deferred to the next meeting.

**Item 3.**

The item was discussed and a motion was made by Commissioner Gross to approve the Ordinance, adding "solicitation:" to Sec. (2). Commissioner Cruz seconded the motion.

**Item 4.**

The item was discussed and a motion was made by Commissioner Gross and seconded by Commissioner Cruz for the Mayor and Commissioners, during the Committee of the Whole meeting to be scheduled on October 23, 2002, following the Executive Session, to compile a list of boards and committees to refer to a Review Committee for recommendation. Robert Parcher to prepare a list of all the City's boards and committees for the meeting.

**Item 5.**

The item was discussed and a motion was made by Commissioner Gross, seconded by Commissioner Cruz, to approve the revisions to the Special Events Permits Requirements and Guidelines with the following exceptions and revisions:

1. With the exception of Section VII "Concession Agreements", which will be discussed at a future meeting.
2. Revision to Section I "Special Events Office", paragraph H "Booking Policy" to read "...annual events, defined as one which has a minimum of 3 5 consecutive years... ."
3. Revision to Section I "Special Events Office," paragraph H "Booking Policy" to read "... the City Manager with his/her designee... ."

**Item 6.**

The item was discussed and a motion was made by Commissioner Gross to refer to Commission for a public hearing, seconded by Commissioner Cruz. Further, the Commission is to discuss establishing a memorial for those people who in the future the City may want to recognize for their contribution. **Mayra Diaz Buttacavoli to handle.**

**Item 7.**

The item was discussed and a motion was made by Commissioner Gross, seconded by Commissioner Cruz, to refer the item to Commission for consideration of changing the name of Bay Shore Golf Course to the Miami Beach Golf Club and further amending Chapter 82 of the City Code, Section 82-503 entitled naming of Public Facilities by eliminating the requirement of a referendum when a facility is City owned and proposed name includes the name of the City and the function of the facility.

**C7 - Resolutions**

- C7A A Resolution Authorizing The City Manager Or His Designee To Submit Grant Applications For The Following Funds: 1) Florida Department Of Environmental Protection Funds For The FY 2003-2004 Innovative Recycling/Waste Reduction Grant; 2) US Soccer Foundation Funds For The FY 2003 Grant Program; 3) Miami-Dade County Funds For The FY 2003 Community-Based Organization Grant And, 4) Bureau Of Justice Assistance Funds For The FY 2003 Reducing Gun Violence: Project Safe Neighborhoods Grant, Leveraging Previously Appropriated City Funds As Needed; Further Appropriating The Grants If Approved And Accepted By The City And Authorizing The Mayor And City Clerk To Execute All Necessary Documents Related To These Applications.  
(Grants Management)

**ACTION: Resolution No. 2002-25017 adopted.** If awarded and accepted by the City, Patricia Walker to appropriate the funds. Mayra Diaz Buttacavoli to handle.

- C7B A Resolution Appointing Commissioner Simon Cruz As Vice-Mayor For A Term Commencing On November 1, 2002, And Terminating On February 28, 2003, Or On Such Date When A New Vice-Mayor Is Thereafter Elected.  
(City Clerk's Office)

**ACTION: Resolution No. 2002-25018 adopted.** Robert Parcher to handle.

- C7C A Resolution Authorizing The Reappointment Of Edward Margolis For The Private Sector Business Seat, To The South Florida Workforce Board.  
(Human Resources)

**ACTION: Resolution No. 2002-25019 adopted.** T.C. Adderly to handle.

- C7D A Resolution Authorizing The Mayor And City Clerk To Execute A Consortium Agreement With Miami-Dade County, Monroe County, The City Of Miami, And The City Of Hialeah For The Purpose Of Continuing To Conduct Programs Under The South Florida Employment And Training Consortium.  
(Human Resources)

**ACTION: Resolution No. 2002-25020 adopted.** T.C. Adderly to handle.

- C7E A Resolution Waiving, By 5/7ths Vote, The Formal Bid Process, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The Administration To Issue A Standing Order To ABC Computing Services, Inc., In The Amount Of \$100,000.00, For FY 2002-2003, Renewable For One Year, For Provision Of City-Wide Enhancements And Maintenance Of The City's Cyborg Systems, Inc. Human Resources/Payroll System.  
(Information Technology)

**ACTION: Resolution No. 2002-25021 adopted.** Kay Randall to handle.

- C7F A Resolution Of Waiving, By 5/7ths Vote, The Formal Bid Process, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The Mayor And City Clerk To Execute A Master Services Agreement With BellSouth Telecommunications, Inc., In The Amount Of \$653,486, For The First Year (FY 2002-03) Of The Three Year Agreement, Renewable On An Annual Basis, From Date Of Execution, To Provide The City Of Miami Beach With Full Local Telephone Services.  
(Information Technology)

**ACTION:** Withdrawn.

- C7G A Resolution Waiving, By 5/7ths Vote, The Formal Bid Process, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The Administration To Issue A Standing Order To Information Discovery Systems (IDS), In The Amount Of \$50,000, For FY 2002-2003, Renewable Annually, With Increases Limited To The Cumulative Consumer Price Index (CPI) From The Date Of The Last Increase, For Modifications And Enhancements To The City-Wide Permits Plus System.  
(Information Technology)

**ACTION: Resolution No. 2002-25022 adopted.** Kay Randall to handle.

- C7H A Resolution Waiving, By 5/7ths Vote, The Formal Bid Process, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The Administration To Issue A Standing Order To Mitchell Humphrey & Co., In The Amount Of \$51,860, For FY 2002-2003, Renewable Annually, For Provision Of City-Wide Maintenance Of The City's FMSII Accounting Software.  
(Information Technology)

**ACTION: Resolution No. 2002-25023 adopted.** Kay Randall to handle.

**9:55:09 a.m.**

- C7I A Resolution Authorizing The Mayor And City Clerk To Execute An Agreement With Motorola, Inc., In The Amount Of \$272,702.16, For FY 2002-2003, For A One-Year Service Agreement, Renewable On An Annual Basis, Until The New Citywide Radio System Is Installed, For Maintenance Of The City's Existing 800MHZ Trunked Analog Public Safety Radio System.  
(Information Technology)

**ACTION: Separated for discussion by Jorge Gonzalez, City Manager.**

**Resolution No. 2002-25024 adopted.** Motion made by Vice-Mayor Steinberg; seconded by Commissioner Garcia; Voice vote: 7-0. Kay Randall to handle.

Jorge Gonzalez, City Manager, stated that this is necessary to keep the current radios functional until the acquisition of a new 800 MHz system. This item has nothing to do with the selection of the new radio system.

- C7J A Resolution Waiving, By 5/7ths Vote, The Formal Bid Process, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The Administration To Issue A Standing Order To AT&T, Pursuant To State Of Florida Department Of Insurance Contract #OM512313, In The Amount Of \$61,000, For FY 2002-2003, For Provision Of City-Wide Long Distance Telephone Services.  
(Information Technology)

**ACTION: Resolution No. 2002-25025 adopted.** Kay Randall to handle.

- C7K A Resolution Waiving, By 5/7ths Vote, The Formal Bid Process, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The Administration To Issue A Standing Order To Cingular Wireless, Pursuant To State Of Florida Contract #725-330-98-1, In The Amount Of \$72,000, For Provision Of City-Wide Wireless Telephone Services.  
(Information Technology)

**ACTION: Resolution No. 2002-25026 adopted.** Kay Randall to handle.

- C7L A Resolution Waiving, By 5/7ths Vote, The Formal Bid Process, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The Administration To Issue A Standing Order To Nextel Communications, Pursuant To State Of Florida Contract #725-330-98-1, In The Amount Of \$120,000, For FY 2002-2003, For Provision Of City-Wide Wireless Services.  
(Information Technology)

**ACTION: Resolution No. 2002-25027 adopted.** Kay Randall to handle.

- C7M A Resolution Waiving, By 5/7ths Vote, The Formal Bid Process, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The Administration To Issue A Standing Order To Siemens, Pursuant To State Of Florida Contract #PABX730-650-99-1, In The Amount Of \$158,770, For FY 2002-2003, For Provision Of City-Wide Maintenance Services For Siemens Telephone And IVR Systems.

(Information Technology)

**ACTION: Resolution No. 2002-25028 adopted.** Kay Randall to handle.

- C7N A Resolution Waiving, By 5/7ths Vote, The Formal Bid Process, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The Administration To Issue A Standing Order To Suncom, Pursuant To Their Status As A State Of Florida Long Distance And Network Provider, In The Amount Of \$45,000, For FY 2002-2003, For Provision Of City-Wide T-1 Internet Service Connectivity And Long Distance Telephone Services For Remote City Facilities.

(Information Technology)

**ACTION: Resolution No. 2002-25029 adopted.** Kay Randall to handle.

- C7O A Resolution Authorizing The Mayor And City Clerk To Execute The Attached State Housing Initiatives Partnership (SHIP) Program Agreement Between The City And Miami Beach Community Development Corporation, Which Provides SHIP Program Funds In The Amount Of \$517,208 From Fiscal Year 2001/2002 To Continue A Rehabilitation Component For The Scattered-Site Home Ownership Program Providing Rehabilitation, Down Payment Assistance, Closing Cost Assistance And Home Ownership Counseling, For Units Purchased By Eligible Home Buyers Under The Rules Of The SHIP Program And The City's Local Housing Assistance Plan.

(Neighborhood Services)

**ACTION: Resolution No. 2002-25030 adopted.** Vivian Guzman to handle.

- C7P A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Proposals Received Pursuant To Request For Proposals (RFP) No. 39-01/02, For Emergency And Transitional Housing; Authorizing The Mayor And City Clerk To Execute An Agreement With The Salvation Army, In The Amount Of \$32,850 For Emergency Shelter, And \$118,507 For Transitional Housing; Further Authorizing To City Manager The Authority To Increase Said Agreement Up To An Additional \$75,000 For Emergency And Transitional Housing.

(Neighborhood Services)

**ACTION: Resolution No. 2002-25031 adopted.** Vivian Guzman to handle.

Handout or Reference Materials

1. Letter from Dr. Daniel T. Brady, Douglas Gardens Community Center Health Center, to Jorge Gonzalez, City Manager, dated October 22, 2002, RE: RFP No. 39-01/02 - Emergency and/or Transitional Housing
2. Letter from Jorge Gonzalez, City Manager, to Dr. Daniel T. Brady, Executive Director, Douglas Gardens Community Center Health Center of Miami Beach, dated October 22, 2002, RE: Bid Protest on Request for Proposal No. 39-01/02 - Emergency and/or Transitional Housing

- C7Q Setting Of Public Hearing - Demolition By Neglect Procedures  
A Resolution Setting A Public Hearing To Consider An Ordinance Of The Mayor And City Commission Of The City Of Miami Beach, Florida Amending The Land Development Regulations Of

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The Code Of The City Of Miami Beach, By Amending Chapter 118, Entitled "Administration And Review Procedures", Article X, Entitled "Historic Preservation", Division 2, Entitled "Historic Preservation Board Review Of Projects", By Amending Section 118-532 To Clarify And Expand Procedures For The Maintenance Of Designated Properties; Providing For Repealer, Codification, Severability And An Effective Date.

(Planning Department)

**ACTION: Resolution No. 2002-25032 adopted.** Public hearing scheduled for November 13, 2002. R. Parcher to notice. Lilia Cardillo to place on the agenda. Jorge Gomez to handle.

- C7R A Resolution Authorizing The Mayor, Or His Designee, To Enter Into An Agreement With The National Center For Missing And Exploited Children (NCMEC) To Receive Computer Hardware, Software, And Support Services At No Cost To The City; Provided Under A United States Department Of Justice, Office Of Juvenile Justice And Delinquency Prevention Cooperative Agreement No. 98-MC-CX-K002.

(Police Department)

**ACTION: Resolution No. 2002-25033 adopted.** Chief De Lucca to handle.

**SUPPLEMENTAL MATERIAL: (Resolution)**

- C7S A Resolution Ratifying Change Orders In The Amount Of \$119,156, To The Existing Contract With Laumar Roofing South Inc. For The Partial Roof Replacement Of The Byron Carlyle Theater.

(Public Works)

**(Resolution To Be Submitted)**

**ACTION: Resolution No. 2002-25034 adopted.** Fred Beckmann to handle.

**SUPPLEMENTAL MATERIAL: (Resolution and Drawing)**

- C7T A Resolution Authorizing The Mayor And City Commission To Grant The Attached Easement To Florida Power & Light Company (FP&L) For The Provision Of Underground Distribution Facilities And A Transformer Vault At The North Shore Park And Youth Center Project; And Authorizing The Mayor And City Clerk To Execute And Record The Easement For The Required Underground Facilities And Transformer Vault.

(Public Works)

**(Resolution To Be Submitted)**

**ACTION: Resolution No. 2002-25035 adopted.** Fred Beckmann to handle.

- C7U A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment One To A Joint Participation And Reimbursement Agreement (JPA) With The Florida Department Of Transportation (FDOT), For A Milling And Resurfacing Project On Collins Avenue, From 5th To 15th Streets; Said Amendment Adding \$153,019.83 In State Funds To The Original JPA, In The Amount Of \$2,055,610.61, Previously Appropriated By Resolution No. 2000-23944, Dated May 24, 2000; Appropriating The \$153,019.83 Supplemental Amount For Such Purposes; And Further Authorizing The Administration To Advance Funds From The General Fund Undesignated Fund Balance For The Project, In The Respective Fiscal Year(s) The Funds Will Be Needed, For Subsequent Reimbursement By FDOT, In Accordance With Section 2.A. Of The Original JPA; The Total Estimated State (JPA) Contribution Now Being \$2,208,630.44.  
(Public Works)

**ACTION: Resolution No. 2002-25036 adopted.** Fred Beckmann and Patricia Walker to handle.

- C7V A Resolution Approving And Authorizing The Mayor And City Clerk To Execute A Professional Services Agreement With EAC Consulting, Inc., As The Top-Ranked Firm Pursuant To Request For Qualifications No. 54-00/01, To Prepare Final Design Plans For A Drainage, Milling, Resurfacing And Lighting Project For Collins Avenue, From 5th To 15th Streets, In An Amount Not To Exceed \$193,982; The Project Being Fully Funded By A Joint Participation And Reimbursement Agreement (JPA) With The Florida Department Of Transportation (FDOT), As Authorized By Resolution No. 2000-23944, Dated May 24, 2000, And By Amendment One To The JPA, Authorized By Resolution No. **2002-25013**, A Previous Item On This City Commission Agenda; And Further Authorizing The Administration To Advance Funds From The General Fund Undesignated Fund Balance, In The Amount Of \$193,982, For Subsequent Reimbursement By FDOT Under Section 2.A. Of The Original JPA.  
(Public Works)

**ACTION: Resolution No. 2002-25037 adopted.** Fred Beckmann and Patricia Walker to handle.



**10:07:20 a.m.****ADDENDUM:**

C7W A Resolution Approving And Authorizing The Mayor And City Clerk To Execute An Agreement Between The City And Fred M. Keroff, M.D., For The Provision Of Medical Direction Of The Miami Beach Fire Department Emergency Medical Services.  
(Fire Department)

**ACTION: Separated for discussion by Commissioner Garcia.**

**Resolution No. 2002-25038 adopted.** Motion made by Commissioner Bower; seconded by Vice-Mayor Steinberg; Voice vote: 7-0. Chief Jordan to handle.

Commissioner Garcia stated that there have been two medical Directors in the history of Miami Beach. One was Doctor Leo Grossman, and the other was Dr. Harry Heinitsh. Dr. Heinitsh truly deserves to be honored. He has worked for the City for over 20 years. He also stated that Dr. Keroff is an outstanding doctor. Commissioner Garcia suggested that an award be given to Dr. Heinitsh and refer this item to the Community Affairs Committee. **Mayra Diaz Buttacavoli to place on the Committee Agenda. Chief Jordan to handle.**

Commissioner Smith stated that with these types of items a resume should be included in the Commission Agenda. **Chief Jordan to prepare an LTC forwarding a copy of Dr. Keroff's resume to the Commission.**

**End of Consent Agenda**

**REGULAR AGENDA****R5 - Ordinances****10:41:04 a.m.**

- R5A An Ordinance Amending Ordinance No. 1605, The Unclassified Employees Salary Ordinance, By Establishing The Classifications Of Assistant Director - CIP, Executive Assistant To The Chief, Ice Rink Manager, Parking Administration Manager, And Systems Support Manager; Amending The Titles Of The Classifications Of Application Services Manager To Application Systems Manager, Civicall Customer Service Liaison To Call Center/Customer Service Manager, Fundraising Coordinator To Development Coordinator, Personnel Specialist To Human Resources Specialist, Recreation, Culture & Parks Director To Parks & Recreation Director, Revenue Supervisor To Revenue Manager, And Senior Project Planner To Senior Capital Projects Planner; And Recreating The Classification Of Sanitation Superintendent; Providing For A Repealer, Severability, Effective Date, And Codification. **10:30 A.M. Second Reading, Public Hearing**  
(Human Resources)  
(First Reading On September 25, 2002)

**ACTION:** Public Hearing held. **Ordinance No. 2002-3383 adopted.** Motion made by Commissioner Bower; seconded by Commissioner Smith; Ballot vote: 7-0. T. C. Adderly to handle.

Handout or Reference Materials:

1. Notice of Ad in Miami Herald

**5:05:03 p.m.**

- R5B Proposed Amendment Prohibiting Live-Aboard Vessels In Single-Family Districts  
An Ordinance Amending The Code Of The City Of Miami Beach By Amending Chapter 66, "Marine Structures, Facilities And Vehicles," Section 66-4 "Definitions," By Adding A Definition For Live-Aboard Vessels; And Amending Section 66-111 "Permission Required To Dock Or To Make Fast For Other Vessel," By Adding Language Limiting Live-Aboard Vessels In The RS Single-Family Residential Districts, As Specified In The Ordinance, And Requiring Conditional Use Approval For Crew Live-Aboards; Providing For Codification, Repealer, Severability And An Effective Date.  
**5:05 P.M. Second Reading, Public Hearing.**  
(Planning Department)  
(Continued From September 11, 2002)

**ACTION:** Public Hearing held. **Item referred.** Motion made by Commissioner Smith to refer the ordinance to the Neighborhoods Committee; seconded by Commissioner Garcia; Voice-vote: 7-0. Vivian Guzman to place on the committee agenda. Jorge Gomez to handle.

Mr. Dan Paul spoke.  
Mr. Harold Rosen spoke.  
Dr. Jeffrey Galitz spoke.  
Mr. Brian Patchen spoke.  
Mr. Clarence Higbee spoke.  
Mr. Luis Salom spoke.  
Mr. Rick Allen Spoke.

Motion made by Commissioner Smith to adopt the ordinance; seconded by Commissioner Garcia for

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discussion. Discussion continued.

Commissioner Gross expressed his concern about approving an ordinance that has citywide implications for one problem. He stated that perhaps the issue could be addressed by looking at the height of the docked boats or setbacks.

Commissioner Smith stated that the issue is not about a neighborhood dispute but rather the City being proactive. The question is how to balance the real needs of the boating industry and the people's rights to have boats with the residents' rights to have a quality-of-life to preserve their view and privacy. He stated that he would welcome an ordinance dealing with the heights of boats or setback.

Discussion continued.

Motion made by Commissioner Smith to refer the ordinance to the Neighborhoods Committee; seconded by Commissioner Garcia.

Handout or Reference Materials:

1. Notice of Ad in Miami Herald

**5:42:57 p.m.**

**SUPPLEMENTAL MATERIAL:**

R5C Amendment To RPS-4 Development Regulations  
An Ordinance Amending The Land Development Regulations Of The City Code, By Amending Chapter 142, "Zoning Districts And Regulations" Article II, "District Regulations" Division 18, "PS Performance Standard District," Amending Section 142-696 "Residential Performance Standard Area Requirements," By Amending The Maximum Building Height In The R-PS4 Zoning District; Amending Section 142-697 "Setback Requirements In The R-PS1, 2, 3, 4 Districts," To Provide For Additions To Follow The Existing Building Line; Providing For Codification, Repealer, Severability And Effective Date. **5:15 p.m. First Reading, Public Hearing.**

(Planning Department)

**(Memorandum And Ordinance To Be Submitted In Supplemental)**

**ACTION:** Public Hearing held. **Ordinance approved on First Reading as amended.** Motion made by Commissioner Gross; seconded by Commissioner Bower to approve alternative #4, changing the maximum building height from 35 feet to 75 ft. (which may be lowered on second reading), changing the distance from the front property line from the first 445 to 60 feet of lot depth, and on second reading introduce a rear set back; Ballot vote: 5-2; Opposed: Vice-Mayor Steinberg and Commissioner Garcia. Second Reading and Public Hearing scheduled for November 13, 2002. R. Parcher to notice. Lilia Cardillo to place on the Commission Agenda. Jorge Gomez to handle.

The following attorneys introduced themselves and stated whom they represent.

1. Kent Harrison Robbins, Esq. representing the Ocean Drive Preservation Association.
2. Jeffrey Berrow, Esq. representing Arden Savoy Partners, LLC., the owners of the Arlington and Savoy site.
3. Carter McDowell, Esq., representing the Sea Crest Apts, Villa Luisa, Atlantic Vue and the Hotel Simone.

Murray Dubbin, City Attorney, stated that this is an ordinance change and is a legislative act of the City Commission, not a quasi-judicial act.

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Carter McDowell, stated that he does not accept the characterization that this is a legislative matter.

Jorge Gomez, Planning Director, stated that he is incorporating the entire documentation that was submitted as Supplemental Materials for the record.

Kent Harrison Robbins spoke.

The following individuals spoke: Clare McCorde, Christina Labuzzeta, Frank Del Vecchio, Jim Dekis, Vincent DeLoach, Erika Brigham, Clotilde Luce, Lourdes Solara (MDPL), Sheila Hellman, and Andy Casas.

Jeffrey Bercow spoke.

The following individuals spoke: Jack Luft, Urban Planner, Luis Revuelta, Project Architect, David Dabby, appraiser, and Craig Spencer, principal of Arden/Savoy.

Carter McDowell spoke.

The following individuals spoke: Ted Bliss and Bea Kalstein.

Discussion held.

Motion made by Commissioner Gross to approve alternative #4, regarding the maximum building height, 35 feet for the first 115 feet of lot depth and reducing the 75 feet to 55 feet thereafter and there should be no aggregation of lots by adjoining property owners. Legal Department to prepare language; Seconded by Commissioner Bower; Ballot vote: 3-3; Opposed: Vice-Mayor Steinberg and Commissioners Garcia and Smith. Absent: Commissioner Cruz. Motion failed.

Motion made by Commissioner Smith to approve alternative #2 as recommended by the Administration; Mayor Dermer offered the gavel (chair the meeting) to Vice-Mayor Steinberg so that he could second the motion. Discussion continued. Mayor Dermer withdrew his second and took the gavel back.

Motion made by Commissioner Gross working from alternative #2, to change the 55 feet maximum building height to 35 feet on lots which are less than 50 feet (after the first 55 feet of lot depth it will go from 35 feet to up to 55 feet); Seconded by Commissioner Bower. Discussion continued.

Murray Dubbin, City Attorney, stated that if the City Commission approves on first reading Alternative #2, if the Commission wants to alter the height to go higher, then new notice will need to be given.

Jorge Gomez, Planning Director, suggested using Alternative #4, with the 115 feet setback and to add a rear-setback, which is a function of height; after listening to the discussion and concerns of the Commission.

Commissioner Bower recommended changing the 115 feet of front setback to 60 feet setback.

Motion made by Commissioner Gross; seconded by Commissioner Bower to approve alternative #4, changing the maximum building height from 35 feet to 75 ft. (which may be lowered on second reading), changing the distance from the front property line from the first 445 to 60 feet of lot depth, and on second reading introduce a rear set back; Ballot vote: 5-2; Opposed: Vice-Mayor Steinberg and Commissioner Garcia.

Vice-Mayor Steinberg stated that he would vote for this if, between first and second reading it go before the Historic Preservation Board for their review.

Handout or Reference Materials:

1. Notice of Ad in Miami Herald
2. Unsigned letter from Mr. J.F. Donnelly, to Mayor and Commissioners, dated October 23, 2002, RE: Ocean Drive Height Limitations/Ocean Beach Historic District
3. Document title: "The case for Ocean Drive Height Limits is a Historic Preservation Case" dated October 23, 2002, submitted by Frank Del Vecchio.
4. Two (2) color aerial photos: the South Pointe Area and the beach with shadows
5. Booklet titled: "City of Miami Beach Planning Board, File # 1562, Submission by the Ocean Drive Preservation Association dated May 28, 2002, Revised June 25 and October 23, 2002, prepared by Kent Harrison Robbins, attorney for the Ocean Drive Preservation Association." Document was submitted by Erika Brigham.
6. List of speakers submitted by Kent Harrison Robbins
7. Document titled: "Executive Summary - Economic Impacts of Historic Preservation in Florida." Document submitted by Clotilde Luce.
8. Document titled: "The Savoy Hotel - Miami Beach, Florida, Contextual Elevation with Proposed Development." Revuelta Vega Leon, Architects. Submitted by Mr. Bercow.

R5D An Ordinance Amending The Code Of The City Of Miami Beach By Amending Chapter 66, "Marine Structures, Facilities And Vehicles," Article IV, "Vessels," By Adding A New Section 66-155 Entitled "Anchoring Or Mooring Within Jurisdictional Limits Of City," Limiting Such Anchoring Or Mooring By All Vessels To Seven Consecutive Days, Or Fourteen Cumulative Days Annually, Except That Such Prohibition Shall Not Interfere With Rights Of Navigation, Bonafide Emergencies Or Locating In Designated Anchoring Or Mooring Areas; Providing For Codification, Repealer, Severability And An Effective Date. **First Reading.**

(Requested By Vice-Mayor Richard L. Steinberg)

**ACTION: Item not reached.** Lilia Cardillo to place on the Commission Agenda.

**10:19:49 a.m.**

R5E Proposed Amendment To The Sign Section Of The City Code  
An Ordinance Amending The Code Of The City Of Miami Beach, Florida, Chapter 138, "Signs," Section 138-71, "Prohibited Signs And Sign Devices," By Adding Standards For The Use As Signs Of Television Monitors Or Similar Devices; Amending Article IV, "Temporary Signs," Section 138-133, "Construction Signs," By Clarifying The Language In The Existing Regulations; Amending Section 138-135, "Real Estate Signs - Single Family Residential," Removing The Restriction Allowing Only Black And White Signs; Section 138-136, "Real Estate Signs - Multifamily, Commercial, Industrial, Vacant Land," By Providing For Additional Signs And Standards; Article V, "Sign Regulations By District," Section 138-171, "General Provisions," By Creating Standards For Retail Storefronts Sharing Interior Spaces; Section 138-172, "Schedule Of Sign Regulations For Principal Use Signs," By Creating Regulations For Signs In RO, "Residential Office" Zoning Districts; Providing For Codification; Repealer; Severability; And An Effective Date. **First Reading.**  
(Planning Department)

**ACTION: Ordinance approved on First Reading as amended.**

Motion made by Commissioner Gross to approve the Planning Department's recommendation but allow for color real estate signs and to refer the issue of televisions in storefronts to the Land Use and Development Committee; seconded by Commissioner Bower; Ballot vote: 7-0. Second Reading and Public Hearing scheduled for November 13, 2002. R. Parcher to notice. Lilia Cardillo to place on the Commission Agenda. Jorge Gomez to place on committee agenda. Jorge Gomez to handle.

Jorge Gomez, Planning Department Director added that it has been the interpretation for many years that television monitors on the storefronts act as signs. This is the Administration's attempt to codify the interpretations. He talked about construction and real estate signs. The Planning Board recommended only black and white real estate signs.

Commissioners Bower and Gross raised the issue of why there is a prohibition on colored real estate signs.

Mayor Dermer suggested approving the ordinance with the Planning Department's staff recommendation (color real estate signs), referring the television monitors in storefront issue to the committee for discussion, and to bring the recommendation back for second reading.

Commissioner Gross added that at some point the City outlawed allowing new businesses to have signs on a valance on Lincoln Road.

Jorge Gomez, Planning Department Director, stated that to change the City Code to eliminate the signs on valances prohibition requires Planning Board approval. **Jorge Gomez to start the process of amending the City Code.**

- R5F An Ordinance Amending Chapter 18 Of The Miami Beach City Code Entitled "Businesses," By Amending Article VIII Thereof Entitled "Parking Lots"; By Amending Division 1 Entitled "Generally" And Division 2 Entitled "Valet Parking Permits For Use Of Public Properties"; By Amending Sections 18-314 And 18-344 Both Entitled "Enforcement, Fine Schedule, And Right Of Appeal" By Providing That The Enforcement Of Those Sections And The Penalties Therefore Shall Be As Provided In Chapter 30 Of The City Code; Providing For Repealer; Codification; Severability; And An Effective Date. **First Reading.**  
(Requested By Vice-Mayor Richard L. Steinberg)

**ACTION : Item not reached.** Lilia Cardillo to place on the Commission Agenda.

**10:18:05 a.m.**

- R5G An Ordinance Amending Chapter 82 Of The City Code Entitled "Public Property" By Amending Article VI Entitled "Naming Of Public Facilities And Establishment Of Monuments Or Memorials" By Amending Section 82-503, Entitled "Naming Of Public Facilities" By Eliminating The Requirement Of A Referendum In Such Cases When The Facility To Be Named Or Renamed Is City Owned And The Proposed Name Includes The Name Of The City And The Function Of The Facility Or The Facility To Be Named Or Renamed Will Include The Name Of The City And The Current Name Of The Facility Providing For A Repealer, Severability, Codification And An Effective Date. **First Reading**  
(Parks And Recreation)

**ACTION: Ordinance approved on First Reading.** Motion made by Commissioner Bower; seconded by Commissioner Smith; Ballot vote: 7-0. Second Reading and Public Hearing scheduled for November 13, 2002. R. Parcher to notice. Lilia Cardillo to place on the Commission Agenda. Kevin Smith to handle.

- R5H An Ordinance Amending Chapter 82, "Public Property," Article IV, "Uses In Public Rights-Of-Way," Division 5, "Sidewalk Cafes," By Creating A New Section 82-384(ff), Allowing Limited Displays Of Food Served At Sidewalk Cafes On Private Property Adjacent To The Cafe, Providing For Review And Design Criteria Of Display Cases And Related Matters; Amending Chapter 142, "Zoning Districts And Regulations," Article IV, "Supplementary District Regulations," Division 1, "Generally," Section 142-874, "Required Enclosures," To Provide For The Above Displays; And Setting The Fee For Design And Historic Preservation Board Review Of Requests To Increase The Size Of Sidewalk Café Displays At \$200.00; Providing For Repealer, Codification, Severability And An Effective Date. **First Reading.**

(Planning Department)

**ACTION: Item not reached.** Lilia Cardillo to place on the Commission Agenda.

**3:49:06 p.m.**

- R5I An Ordinance Amending Miami Beach City Code Chapter 2, Division 3 Thereof, Entitled "Lobbyists," By Creating Section 2-485.2 Entitled "Prohibited Campaign Contributions By Lobbyists On Procurement Issues"; Providing For Repealer, Severability, Codification, And Effective Date. **First Reading.**

(Requested By Commissioner Saul Gross)

**ACTION: Ordinance approved on First Reading.** Motion made by Commissioner Gross; seconded by Vice-Mayor Steinberg; Ballot vote: 4-3; Opposed: Commissioners Bower, Garcia, and Smith. Second Reading and Public Hearing scheduled for November 13, 2002. R. Parcher to notice. Lilia Cardillo to place on the Commission Agenda. Legal Department to handle.

Jean Olin, Deputy City Attorney, presented the ordinance.

Robert Meyers from the Miami-Dade County Commission on Ethics spoke.

Mayor Dermer stated that the key to campaign contribution reforms is capping campaign expenditures.

Commissioner Cruz stated that he would like to bring back his ordinance capping campaign expenditures. Referred to the Community Affairs Committee to determine the spending cap for the Mayor and Commissioner races. **Mayra Diaz Buttacavoli to place on Committee Agenda.**

Handout or Reference Materials

1. Color chart titled: "Money & Politics in Miami Beach" The chart depicts the Mayor and each Commissioner with columns showing the amount of money raised, lobbyist \$, and Real Estate \$

#### **R6 - Commission Committee Reports**

- R6A Verbal Report Of The Neighborhoods Committee Meeting Of October 17, 2002: **1)** Status Report On Pay Telephone Kiosk On Public Property Or City Rights-Of-Way; **2)** Discussion Regarding Panhandling In Miami Beach; **3)** Discussion Regarding The 63rd Street Flyover Construction Mitigation Of Traffic (MOT) Plan; **4)** Discussion Regarding Cellular Antennas On The Tower Of City Of Miami Beach Fire Station #2; **5)** Discussion Regarding The City's Enforcement Of The Noise Ordinance; And **6)** Discussion Regarding The Creation Of A City Code Review Ad Hoc Committee.

**ACTION: Item not reached.** Lilia Cardillo to place on the November 13, Consent Agenda.



**R7 - Resolutions****10:17:44 a.m.**

- R7A A Resolution Setting The Dates For The Year 2003 City Commission Meetings. **Joint City Commission And Redevelopment Agency.**  
(City Clerk's Office)

**ACTION:** Heard in conjunction with RDA Item 3A. Resolution No. 2002-25039 adopted. Motion made by Commissioner Bower; seconded by Commissioner Cruz; Voice vote: 7-0. Robert Parcher to handle.

**10:42:44 a.m.**

- R7B A Resolution Pursuant To Section 90-221 Of The Miami Beach City Code, Raising The Franchise Fee Paid To The City By Private Waste Contractors From The Current Fee Of Twelve Percent (12%) Of The Franchisees' Total Monthly Gross Receipts For Waste Removal In The City, To Fourteen Percent (14%) Of Said Gross Receipts, Said Raise To Be Effective As Of October 1, 2002. 10:35 A.M. Public Hearing  
(Public Works)

**ACTION:** Public Hearing held. Resolution No. 2002-25040 adopted. Motion made by Commissioner Bower; seconded by Commissioner Smith; Voice vote: 7-0. Fred Beckmann to handle.

Handout or Reference Materials:

1. Notice of Ad in Miami Herald
2. Copy of the letter transmitted to Mr. Jorge Ruiz, Operations Manager, Waste Management of Dade County, from Alberto Zamora, Director, City of Miami Beach Sanitation Division, dated August 30, 2002, RE: Increase of City of Miami Beach Waste Hauler Franchise Fee - City Clerk's Note: Letter pursuant to City Code Section 90-221.

- R7C A Resolution Approving And Establishing The Sequencing Of The Construction For The Individual Bid Packages And Projects Within The Neighborhood Right-Of-Way Infrastructure And Parks And Facilities Improvement Programs.  
(Capital Improvement Projects)

**ACTION:** Item not reached. Lilia Cardillo to place on the Commission Agenda.

Handout or Reference Materials

1. Program sequence charts showing the Miami Beach construction projects by neighborhood

**2:31:57 p.m.**

- R7D A Resolution Approving And Officially Adopting The Basis Of Design Report Defining And Describing Series 2000 Water And Sewer Bond, 1999 General Obligation Bond, And 2000 Stormwater Revenue Bond Funded Capital Improvements To Be Implemented Through The Nautilus Right-Of-Way Improvement Project.

(Capital Improvement Projects)

**ACTION: Resolution No. 2002-25041 adopted as amended. BODR approved including Addendum #1.** Motion made by Commissioner Bower; seconded by Garcia; Voice vote: 7-0. Tim Hemstreet to handle.

Robert Middaugh, Assistant City Manager, is working on developing a policy on how to handle encroachments in swale areas and rights-of-way.

Handout or Reference Materials

1. Program Basis of Design Report (BODR), Prepared by Reynolds, Smith, and Hills - Neighborhood: No. 7 Nautilus (Bound book dated October 2, 2002)
2. Addendum No. 1 dated October 7, 2002 to the October 2, 2002 BODR.

**4:49:41 p.m.**

- R7E A Resolution Approving And Officially Adopting The Basis Of Design Report Defining And Describing Water And Sewer Bond, General Obligation Bond, And Stormwater Bond Funded Capital Improvements To Be Implemented In The Normandy Shores Neighborhood Improvement Project.

(Capital Improvement Projects)

**ACTION: Resolution No. 2002-25042 adopted as amended, subject to eliminating the sidewalks on the three (3) side streets and redirecting the money for add/alternates, and including Addendum #1 to the BODR.** Motion made by Commissioner Smith; seconded by Vice-Mayor Steinberg; Voice vote: 6-0; Absent: Commissioner Bower. Tim Hemstreet to handle.

Handout or Reference Materials

1. Program Basis of Design Report (BODR), CH2MHill - Neighborhood: No. 3 Normandy Shores, Subject: Right-of-Way Infrastructure Improvement Program (Bound book dated September 6, 2002)
2. Addendum No. 1 dated October 7, 2002 to the September 6, 2002 BODR.

- R7F A Resolution Approving The City's Year 2003 State Legislature Priorities.  
(Economic Development)

**ACTION: Item not reached.** Lilia Cardillo to place on the Commission Agenda.

**10:48:12 a.m.**

R7G A Resolution Approving The First Of Three, One (1) Year Renewal Terms With Beach Towing Services, Inc., And Tremont Towing Services, Inc., Respectively; Both Terms Commencing On December 1, 2002, And Expiring On November 30, 2003, With Options To Renew For Two (2) Additional One (1) Year Terms, At The Sole Discretion Of The City; Further Approving The Twelfth Amendment To The Administrative Rules And Regulations For The Police Department And Parking Department Towing Permits; Said Amendment Providing For An Increase To The Maximum Allowable Towing Rates.

(Parking Department)

**ACTION: Resolution No. 2002-25043 adopted.** Motion made by Commissioner Bower; seconded by Commissioner Smith; Voice vote: 7-0. Saul Frances to handle.

Commissioner Bower requested a comparison of the rates of other cities in Miami Dade County. Administration will provide the comparison via an LTC. Saul Frances to handle.

Commissioner Bower stated that on Michigan and 15th Street there is always parking. There should be a walkway from the Flamingo Park to the parking areas. **Saul Frances to handle.**

Commissioner Garcia asked what the City does when there are football games. There needs to be parking.

**10:43:40 a.m.**

R7H A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Qualifications Received Pursuant To Request For Qualifications (RFQ) No. 35-01/02 For Professional Engineering Services For Citywide Sanitary Sewer System Improvement Projects; Authorizing The Administration To Enter Into Negotiations With The Top-Ranked Firm Of Camp Dresser And McKee; And Should The Administration Not Be Able To Negotiate An Agreement With The Top-Ranked Firm, Authorizing The Administration To Negotiate With The Second-Ranked Firm Of Post, Buckley, Schuh And Jernigan, Inc.; And Should The Administration Not Be Able To Negotiate An Agreement With The Second-Ranked Firm, Further Authorizing The Administration To Negotiate With The Third-Ranked Firm Of Metcalf And Eddy.

(Public Works)

**ACTION: Resolution No. 2002-25044 adopted.** Motion made by Commissioner Garcia; seconded by Commissioner Bower; Voice vote: 7-0. Fred Beckmann to handle.

**R9 - New Business and Commission Requests**

R9A Board And Committee Appointments.  
(City Clerk's Office)

**Action:****Direct appointments made:****Budget Advisory Committee:**

Jonathan Fryd                      Term expires                      12/31/03                      Appointed by Commissioner Gross

**Police Citizens Relations Committee:**

Micky Ross                      Term expires                      12/31/02                      Appointed by Commissioner Smith

**See Item R9K for the appointment to the Housing Authority.**

**2:21:09 p.m.**

R9B(1) Dr. Stanley Sutnick Citizen's Forum. (1:30 p.m.)

**ACTION:**

**1. Gil Zriny** stated that he walked down on 3rd Street and saw that the streetscape is well in place. The trees have been planted in the concrete planters and the sidewalks are done. He wonders if a dress code is needed and stated that he felt very uncomfortable walking with sandals, a towel and a bathing suit down this really decorated street that is starting to look more like downtown Miami.

**2. Drew Heinrich** requested permission to have a Halloween Party with pony rides for the children.

Mayor Dermer stated that the City Code prohibits farm animal at carnivals in the City. They want to have two (2) ponies at the Halloween Party, on private property, in the courtyard at the Community Church for a church festival.

Mayor Dermer requested this item be added as an emergency to the Agenda

Commissioner Garcia made a motion to add this to the agenda; seconded Commissioner Smith; Voice vote: 5-0; Absent: Commissioners Cruz and Gross.

Motion made by Commissioner Garcia to allow the ponies at the church festival being held on private property; seconded by Commissioner Bower; Voice vote: 4-1; Opposed: Vice-Mayor Steinberg, Absent: Commissioners Cruz and Gross. **AI Childress to handle.**

Commissioner Bower withdrew her second to the motion.

**3. Bea Kalstein** spoke on the item on the Miami-Dade County ballot, Amendment #3. She asked the Commission to take a close look at how this will affect the City of Miami Beach.

Handout or Reference Materials

1. Speakers list.

Prepared by the City Clerk's Office      Page No.    28

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R9B(2) Dr. Stanley Sutnick Citizen's Forum. (5:30 p.m.)

**ACTION: Item not reached.**

**10:45:47 a.m.**

R9C Discussion Regarding Sidewalk Café Fees In North Beach.

(Requested By Commissioner Luis R. Garcia, Jr.)

**ACTION: Discussion held. Item referred.** Motion made by Commissioner Garcia to refer the item to the Finance and Citywide Projects Committee; seconded by Commissioner Smith; Voice vote: 7-0. **Mayra Diaz Buttacavoli to place on the committee agenda. Patricia Walker to handle.**

**3:06:40 p.m.**

R9D Discussion Regarding The Status Report Of The Dialogue With RDP Royal Palm Crowne Plaza.

(Requested By Vice-Mayor Richard L. Steinberg)

**ACTION: Discussion held.**

Commissioner Steinberg asked to hear from the City Manager and Mr. Peebles as to the status on what's happening since the last Commission and whether the payments were made and as to the position of both parties at this time.

Mr. Donahue Peebles spoke.

Jorge Gonzalez, City Manager, stated that RDP Royal Palm Crowne Plaza and the City of Miami Beach have an interest in getting this situation resolved. Progress has been made and it is appropriate to continue the negotiations. He also stated that presently there are four or five issues away from an agreement. The outstanding issues are the big issues that need to be resolved. If the issues cannot be resolved there will be an impasse.

Commissioner Gross requested clarification regarding the reason why rent payment had been discontinued, since it was paid to the City for 14 months consecutively in 2001. If a dispute existed, Mr. Peebles shouldn't have paid rent at all.

Mr. Peebles replied that they paid the rent in protest and made a good faith effort for a year in order for the City to move forward on the issue of contaminated soil.

Commissioner Gross added that there is a Schedule of the amount of rent due, approximately \$1,040,000 from August 2000 to October 2002, for a period of about 27 months. Schedule B shows how much rent is due since the hotel opened in May in the amount of \$240,000. Even if Mr. Peebles is entitled to the environmental claim, which the City shows to be between \$40,000 and \$50,000 according to an analysis, the amount of \$240,000 is still owed.

**Motion made by Commissioner Bower to give the Administration authorization to continue the negotiations until the next commission meeting and to bring back a resolution; seconded by Commissioner Smith; Voice vote: 5-2; Opposed: Commissioners Cruz and Gross. Jorge Gonzalez, City Manager, to handle.**

Commissioner Smith stated that a lot of issues need to be sorted out and it should be in everyone's interest to walk away if negotiations cannot be finalized.

Commissioner Cruz stated that the City is willing to put the amount of the claim in an escrow account if Mr. Peebles is willing to do the same for the back rent. Mr. Peebles stated he would put the money in escrow.

Mayor Dermer commended Mr. Peebles for the success of the hotel and the excitement it has brought to the City.

Commissioner Cruz instructed the Administration to schedule as many meetings are necessary to resolve this issue within the three weeks allowed.

City Clerk's Note: See LTC 239-2002

**5:04:41 p.m.**

R9E Discussion Regarding Nightlife Industry Task Force - Extension Of Hours For Thanksgiving Day Weekend.

(City Manager's Office)

**ACTION: Discussion held. Resolution No. 2002-25045 adopted.**

Motion made by Commissioner Gross with respect to the upcoming Thanksgiving Day Weekend Holiday, to extend the hours of operation, for those clubs with existing City Occupational Licenses that have a 5:00 am liquor license, to 7:00 am (on Friday, November 29, and Saturday, November 30), and to be allowed to serve alcohol. Any club, which will remain open, must notify the Police Department and Code Compliance by letter by Tuesday, November 19, 2002. If there are any problems during the weekend, this action may be rescinded by the City Manager (clarified: club specific); seconded by Vice-Mayor Steinberg; Voice vote: 6-0; Absent: Commissioner Bower. Al Childress and Chief De Lucca to handle.

R9F Discussion Regarding A Resolution Urging The State Of Florida Department Of Education To Exempt Miami Beach Senior High School From The Department Of Education's Policy Which Prohibits The Demolition Of Buildings Less Than Fifty (50) Years Old; Urging A Waiver Of The Cost Limitations On Parking For The New Facility; And Further Urging An Investigation Into The Accuracy And Appropriateness Of The Soft Costs Incurred By The Capital Improvements Project For The New Miami Beach Senior High School Facility.

(Requested By Vice-Mayor Richard L. Steinberg)

**ACTION: Item not reached.** Lilia Cardillo to place on the November 13, Commission Agenda.

- R9G The Committee Of The Whole Will Meet During Lunch Break In The City Manager's Large Conference Room Regarding Review Of City Boards And Committees.  
(City Clerk's Office)

**ACTION: Meeting not held.**

Jorge Gonzalez, City Manager, stated that because of the time constraint and if the Commission desired, that if each member of the City Commission reviews the Board and Committees list submitted via LTC 235-2002 and transmit those board or committees which they recommend be reviewed, the Administration will compile the list to make the process easier. **R. Parcher to prepare an LTC explaining the process.**

City Clerk Cross reference: LTC 235-2002

- R9H Discussion Regarding The Demolition Of Historic Buildings Which Have Been Declared Unsafe Structures.

(Requested By Commissioner Saul Gross)

**ACTION: Item not reached.** Lilia Cardillo to place on the November 13th, Commission Agenda.

**2:43:51 p.m.**

- R9I Discussion Regarding Greater Miami Convention & Visitors Bureau Renting Office Space In The City Of Miami Beach.

(Requested By Commissioner Saul Gross)

**ACTION: Discussion held.**

Commissioner Gross asked for an update on the suggestion of the Greater Miami Convention & Visitors Bureau moving to the City of Miami Beach.

Bill Talbert, President and CEO, Greater Miami Convention and Visitors Bureau, stated that Press and Associates were hired to solicit proposals from around the county including Miami Beach. Some preliminary proposals have been received from facilities in Miami Beach. He visited five properties in Miami Beach and is preparing a matrix to compare each of the five proposals and the Watson Island project. He will submit the matrix to the City Manager within the next ten working days. He stated that the Bureau would not make any commitment until the City Manager and the Commission have an opportunity to review his report.

Scott Robbins spoke.

Jorge Gonzalez, City Manager, explained that the GMCVB needs to negotiate their deal. The City should not be in the middle. There has been an agreement between the GMCVB and Miami Beach that prior to the GMCVB making a decision, the City would have an opportunity to evaluate and give input.

**10:47:20 a.m.**

R9J Discussion Regarding Art In Public Places Funds.  
(Requested By Commissioner Saul Gross)

**ACTION: Discussion held. Item referred.** Motion made by Commissioner Gross to refer this item to the Community Affairs Committee; seconded by Commissioner Bower; Voice vote: 7-0. Mayra Diaz Buttacavoli to place on the committee agenda. Ramiro Inguanzo to handle.

**4:48:41 p.m.**

**ADDENDUM:**

R9K Discussion Regarding The Nomination Of Millie Membiela To The Housing Authority  
(Requested By Commissioner Bower)

**ACTION: Discussion held.** Motion made by Mayor Dermer to nominate Millie Membiela to the Housing Authority; seconded by Commissioner Cruz; Voice vote: 7-0.

Handout or Reference Materials

1. Letter from Robert Parcher to Mr. Burkett, dated October 24, 2002, RE: Transmittal letter of the appointment of Milli Membiela to the Housing Authority
2. LTC 235-2002 Committee-of-the-Whole Meeting - Board and Committee Reviews
3. Resume of Milli Membiela

**R10 - City Attorney Reports**

R10A Notice Of Closed Executive Session.

Pursuant To Section 286.011, Florida Statutes, A Closed Executive Session Will Be Held During Lunch Recess Of The City Commission Meeting On October 23, 2002 In The City Manager's Large Conference Room, Fourth Floor, City Hall, To Discuss Pending Litigation On The Following Cases:

West Side Partners, Ltd., A Florida Limited Partnership; East Coastline Development, Ltd., A Florida Limited Partnership; 404 Investments, Ltd., A Florida Limited Partnership; Azure Coast Development, Ltd., A Florida Limited Partnership; Beachwalk Development Corporation, A Florida Corporation; Portofino Real Estate Fund, Ltd., A Florida Limited Partnership; St. Tropez Real Estate Fund, Ltd., A Florida Limited Partnership; And Sun & Fun, Inc., A Florida Corporation, Vs. City Of Miami Beach, A Florida Municipal Corporation. Eleventh Judicial Circuit, General Jurisdiction, Case No. 98-13274 CA-30.

East Coastline Development, Ltd., A Florida Limited Partnership Vs. City Of Miami Beach, A Florida Municipal Corporation. US Dist. Court, So. Dist. Of Fla. Case No. 01-4921 CIV-MORENO.

East Coastline Development, Ltd., A Florida Limited Partnership, And Catherine F. Colonnese, A Registered Voter In The City Of Miami Beach, Florida, Vs. City Of Miami Beach, A Florida Municipal Corporation. Circuit Court Of The Eleventh Judicial Circuit Of Florida, General Jurisdiction Division, Case No. 01-25812 CA 30.



The Following Individuals Will Be In Attendance: Mayor David Dermer; Members Of The Commission: Matti Herrera Bower, Simon Cruz, Luis R. Garcia Jr., Saul Gross, Jose Smith And Richard Steinberg; City Attorney Murray H. Dubbin, City Manager Jorge M. Gonzalez, Deputy City Attorney Robert Dixon, Deputy City Attorney Jean Olin, First Assistant City Attorney Debora Turner, First Assistant City Attorney Gary Held, Special Counsels Richard Ovelmen And Dan Paul.

**ACTION: Announced and held.**

- R10B Notice Of Closed Executive Session.  
Pursuant To Section 286.011, Florida Statutes, A Closed Executive Session Will Be Held During Lunch Recess Of The City Commission Meeting On October 23, 2002 In The City Manager's Large Conference Room, Fourth Floor, City Hall, To Discuss Pending Litigation On The Following Case:

Galactic Towing, Inc., Vs. City Of Miami Beach. United States District Court, Southern District, Case No. 02-20877 CIV-JORDAN

The Following Individuals Will Be In Attendance: Mayor David Dermer; Members Of The Commission: Matti Herrera Bower, Simon Cruz, Luis R. Garcia Jr., Saul Gross, Jose Smith And Richard Steinberg; City Attorney Murray H. Dubbin, City Manager Jorge M. Gonzalez And Deputy City Attorney Robert Dixon.

**ACTION: Announced and held.**

**Reports and Informational Items**

- A City Attorney's Status Report.  
(City Attorney's Office)

**ACTION: Written report submitted.**

- B Parking Status Report.  
(Parking Department)

**ACTION: Written report submitted.**

- C Status Report On The Rehabilitation Project Of The Existing Building And The Addition To Fire Station No. 2.  
(Capital Improvement Projects)

**ACTION: Written report submitted.**

- D      Status Report On The General Obligation Bond Funded Project For The Rehabilitation Of Fire Station No. 4.

(Capital Improvement Projects)

**ACTION: Written report submitted.**

- E      Informational Report To The Mayor And City Commission, On All Existing City Contracts For Renewal Or Extensions In The Next 180 Days, Which By Their Terms Or Pursuant To Change Orders Exceed \$25,000.

(Procurement)

**ACTION: Written report submitted.**

**End of Regular Agenda**

**Miami Beach Redevelopment Agency  
Commission Chambers, 3rd Floor, City Hall  
1700 Convention Center Drive  
October 23, 2002**

Chairman of the Board David Dermer  
Member of the Board Matti Herrera Bower  
Member of the Board Simon Cruz  
Member of the Board Luis R. Garcia, Jr.  
Member of the Board Saul Gross  
Member of the Board Jose Smith  
Member of the Board Richard L. Steinberg

Executive Director Jorge M. Gonzalez  
Assistant Director Mayra Diaz Buttacavoli  
General Counsel Murray H. Dubbin  
Secretary Robert E. Parcher

**AGENDA**

1. ROLL CALL

2. OLD BUSINESS

- A Report Of The Itemized Revenues And Expenditures Of The Miami Beach Redevelopment Agency For The Months Ended August, 2002.

**ACTION: Written report submitted.**

3. NEW BUSINESS

**10:17:19 a.m.**

- A A Resolution Of The Chairman And Members Of The Board Of The Miami Beach Redevelopment Agency (RDA) Setting The Dates For The Year 2003 Redevelopment Agency Meetings. **Joint City Commission And Redevelopment Agency.**

**ACTION: Heard in conjunction with Item R7A. Resolution No. 437-2002 adopted.**  
Motion made by Commissioner Bower; seconded by Vice-Mayor Steinberg; Voice vote: 7-0.  
Robert Parcher to handle.

**End of RDA Agenda**

Meeting adjourned at 8:35:10 p.m.